

M E M O R A N D U M

DATE: December 3, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0445-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 2, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: Case File
✓ Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(12544 Greenspring Avenue) *
4th Election District * OFFICE OF ADMINISTRATIVE
2nd Council District * HEARINGS FOR
Donna Davis (Feldman) * BALTIMORE COUNTY
Petitioner *
* CASE NO. 2019-0445-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Donna Davis (Feldman) (“Petitioner”). The Petitioner requested Variance relief pursuant to Section 400.1 of the Baltimore County Zoning Regulations (“BCZR”), to approve an accessory structure (garage) in the front yard in lieu of the required rear yard. By Opinion and Order dated October 8, 2019, the undersigned granted with conditions the Administrative Variance request, in accordance with the site plan and documentation within the case file.

On October 30, 2019 Ron Bynaker with Hanover Building Systems, Inc., Petitioner’s representative, filed a timely Motion for Reconsideration. In this Motion, Mr. Bynaker indicated that the relief for the garage height was missed in their petition and that Petitioner owns a sailboat and wishes to properly store it within the proposed building.

I am sympathetic to the plight of the Petitioner; however, Petitioner’s representative at the present time is seeking a different variance than the one approved on October 8, 2019. Under Baltimore County law, a new variance petition must be filed in these circumstances, and I am obliged to follow those regulations.

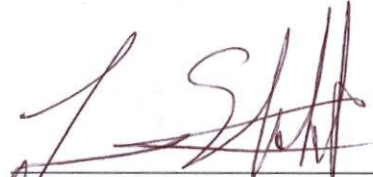
ORDER RECEIVED FOR FILING

Date 11-1-19

By bw

THEREFORE, IT IS ORDERED, this 1st day of **November, 2019**, by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration, to permit the garage height to be 23 ft., be and is hereby DENIED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



LAWRENCE M. STAHL
Administrative Law Judge for
Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 11-1-19

By 102

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(12544 Greenspring Avenue)		
4 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Donna Davis (Feldman)	*	HEARINGS FOR
Petitioner		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0445-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Donna Davis (Feldman) (“Petitioner”). The Petitioner is requesting Variance relief pursuant to § 400.1 of the Baltimore County Zoning Regulations (“BCZR”) to approve an accessory structure (garage) in the front yard in lieu of the required rear yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 15, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 10-8-19

By DW

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Although the Department of Planning did not make any recommendations related to the proposed detached garage's height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the BCC and BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 8th day of **October, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 of the Baltimore County Zoning Regulations ("BCZR") to approve an accessory structure (garage) in the front yard in lieu of the required rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

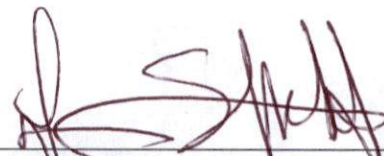
- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- Petitioner or subsequent owners shall not convert the garage into a dwelling unit or apartment. The proposed garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
- The proposed garage shall not be used for commercial purposes.

ORDER RECEIVED FOR FILING

Date 10-8-19

By 190

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


LAWRENCE M. STAHL
Administrative Law Judge for
Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 10-8-19

By DLW



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 12544 GREENSPRING AVE OWINGMILLS MD 21117 Currently zoned RESIDENTIAL
Deed Reference 30422 / 00179 10 Digit Tax Account # 2500011203
Owner(s) Printed Name(s) DONNA DAVIS

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

- X ADMINISTRATIVE VARIANCE from Section(s) 400.1 BZZR TO APPROVE AN
ACCESSORY STRUCTURE (GARAGE) IN THE FRONT YARD IN LIEU
OF THE REQUIRED REAR YARD

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

- ____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

DONNA DAVIS /
Name #1 – Type or Print Name #2 – Type or Print
[Signature] /
Signature #1 Signature #2
12544 GREENSPRING AVE OWINGMILLS MD
Mailing Address City State
21117 / (410) 598-7677 / donnashoots@me.com
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Representative to be contacted:

RON BYNAKER
Name – Type or Print
[Signature]
Signature
PO BOX 330 ABBOTTS TOWN PA
Mailing Address City State
17301 / (717) 858-0249 / sales@nanoverbuilding.com
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County on this 10-8-19 day of NOV that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0445-A Filing Date 9/3/19 Estimated Posting Date 9/5/19 Reviewer CP

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 12544 GREENSPRING AVE OWINGS MILLS MD 21117
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

FOREST CONSERVATION PROHIBITS BUILDING IN REAR OF
PROPERTY

SEPTIC FIELD IS LOCATED BEHIND HOUSE THAT PROHIBITS
BUILDING IN REAR OF PROPERTY.

NEED BUILDING FOR ADDITIONAL STORAGE, SINCE THE OTHER
ACCESSORY STRUCTURES ARE TOO SMALL TO STORE ANY
OF THEIR LARGER BELONGINGS.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

[Signature]

Signature of Owner (Affiant)

DONNA DAVIS

Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

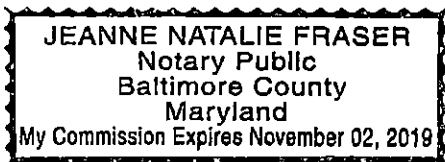
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of August, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

JEANNE N. FRASER / Donna Davis
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public

My Commission Expires 11/02/19

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 12544 GREENSPRING AVE OWINGS MILLS MD 21117
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

FOREST CONSERVATION PROHIBITS BUILDING IN REAR OF
PROPERTY

SEPTIC FIELD IS LOCATED BEHIND HOUSE THAT PROHIBITS
BUILDING IN REAR OF PROPERTY.

NEED BUILDING FOR ADDITIONAL STORAGE SINCE THE OTHER
ACCESSORY STRUCTURES ARE TOO SMALL TO STORE ANY
OF THEIR LARGER BELONGINGS.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

[Signature]

Signature of Owner (Affiant)

DONNA DAVIS

Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

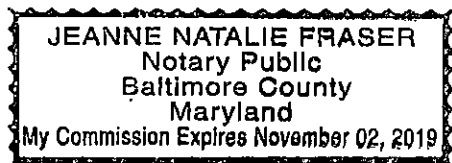
I HEREBY CERTIFY, this 30 day of August, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

Donna Davis

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public

My Commission Expires 11/02/19



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 12544 GREENSPRING AVE OWINGSMILLS MD 21117 Currently zoned RESIDENTIAL

Deed Reference 30422 / 00179

10 Digit Tax Account # 2500011203

Owner(s) Printed Name(s) DONNA DAVIS

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X ADMINISTRATIVE VARIANCE from Section(s) 400.1 BC22 TO APPROVE an accessory structure (garage) in the front yard in lieu of the required rear yard

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

DONNA DAVIS

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

12544 GREENSPRING AVE OWINGSMILLS MD

Mailing Address

City

State

21117 / (410) 598-7677 / donnashoots@me.com

Zip Code

Telephone #

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

RON BYNAKER

Name – Type or Print

Signature

PO Box 330 ABBOTTSTOWN PA

Mailing Address

City

State

17301 / (717) 858-0249 / sales@hanoverbuilding.com

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 10 day of August, 2019, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0445-A Filing Date 9/3/19 Estimated Posting Date 9/15/19 Reviewer CP

Rev 5/5/2016

Zoning property description for 12544 Green Spring Ave, Owings Mills, MD 21117:

A. Beginning at a point on the south side of Green Spring Ave, which is 70 feet wide at a distance of 727.02 feet north of the centerline of the nearest improved intersecting street, Baublitz Road, which is 70 feet wide.

B. Option 2 (Subdivision Lot): Being Lot #13, in the subdivision of Raintree Farm as recorded in Baltimore County Plat Book # 0079, Folio 079410, containing 12.001 acres. Located in the 4 Election District and 2 Council District.

2019-0445-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/15/2019

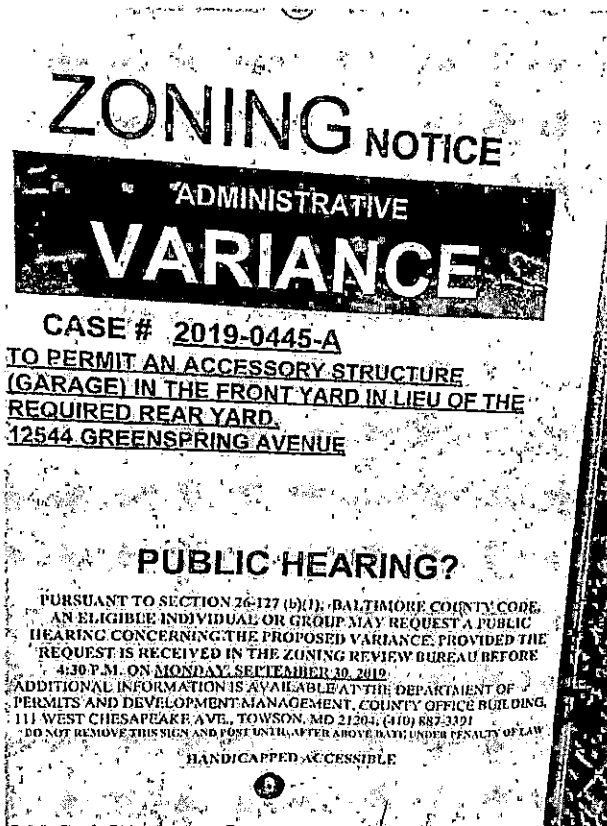
Case Number: 2019-0445-A

Petitioner / Developer: DONNA DAVIS ~ RON BYNAKER of
HANOVER BUILDING SYSTEMS, INC.

Date of Closing: SEPTEMBER 30, 2019

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
12544 GREENSPRING AVENUE

The sign(s) were posted on: **SEPTEMBER 15, 2019**



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0445 -A Address 12544 GREEN SPRING AVE
Contact Person: CHRISTINE FRANK Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 9-3-19 Posting Date: 9-15-19 Closing Date: 9-30-19

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2019- 0445 -A Address 12544 GREEN SPRING AVE
Petitioner's Name DONNA DAVIS Telephone 410-598-7677
Posting Date: 9-15-19 Closing Date: 9-30-19
Wording for Sign: TO PERMIT A ACCESSORY STRUCTURE (GARAGE) IN
THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD

Revised 6/30/2019

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2019-0445-A

Property Address: 12544 GREENSPRING AVE

Property Description: _____

Legal Owners (Petitioners): _____

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: DONNA DAVIS

Company/Firm (if applicable): _____

Address: 12544 GREEN SPRING AVE

OWINGS MILLS MD 21117

Telephone Number: 410-598-7677

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

September 30, 2019

Ron Bynaker
PO Box 330
Abbotts Town PA 17301

RE: Case Number: 2019-0445-A, 12544 Greenspring Ave

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 3, 2019. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Donna Davis 12544 Greenspring Ave Owings Mills MD 21117

Date: 9/9/19

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

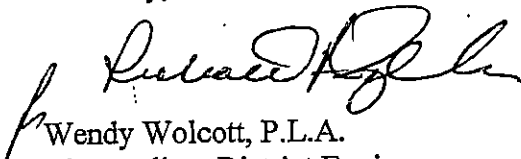
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0445-A

*Administrative Variance
Donna Davis
12544 Greenspring Ave.*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

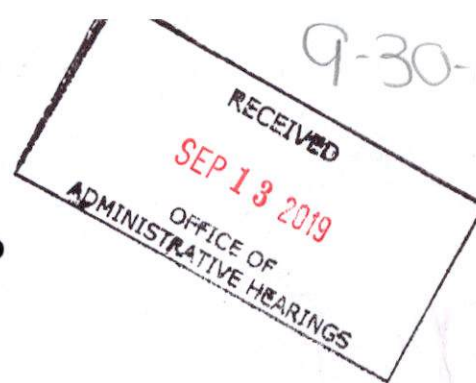
Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

9-30-19



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 13, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0445-A
Address 12544 Greenspring Avenue
(Davis Property)

Zoning Advisory Committee Meeting of **September 6, 2019**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

NEW PRESENCE OF WATERMARK - HOLD TO LIGHT TO VIEW

STATE OF MARYLAND

Department of Health and Mental Hygiene
Division of Vital Records

Marriage Certificate

Baltimore City

License Issued: Date of Marriage:

8/1/2015 8/10/2015

License Number:

242015-002320

Name:

DONNA ANN FELDMAN

Birthplace: MARYLAND

Age: 50

Residence:

10 HUNTERSWORTH COURT

Marital Status: DIVORCED

OWINGS MILLS, MARYLAND 21117

Name:

THOMAS DAVIS

Birthplace: RHODE ISLAND

Age: 45

Residence:

10 HUNTERSWORTH COURT

Marital Status: SINGLE

OWINGS MILLS, MARYLAND 21117

Relationship of the parties by blood or marriage:

NONE

Official Name: CHRISTOPHER LOUIS PANOS

Title: JUDGE

Address:

111 N CALVERT ST

BALTIMORE, MARYLAND 21202

This is to certify that this is a true and correct copy of the official record on file at the Maryland Division of Vital Records.

Geneva B. Sparks

1039337

State Registrar of Vital Records

Date Issued: 9/3/2015 9:40:26 AM

2019-0445-A

DL

Class
C

Driver's License

Maryland

LIC #: L-200-149-067-062



DONNA ANN LASKY
10 HUNTERSWORTH CT
OWINGS MILLS BA MD 21117



[Signature]

BIRTH DATE: 01-23-1965

EXPIRES: 01-23-2018

Sex: F HT: 5-02 WT: 140

Restr: Type: R

Issue Date: 02-13-2013



01-23-1965

DL

Class
C

Driver's License

Maryland

LIC #: D-120-149-248-062



DONNA FELDMAN DAVIS
10 HUNTERSWORTH CT
OWINGS MILLS BA MD 21117



[Signature]

BIRTH DATE: 01-23-1965

EXPIRES: 01-23-2018

Sex: F HT: 5-02 WT: 140

Restr: Type: C

Issue Date: 09-14-2015



01-23-1965

2019-0445-A

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITION FOR VARIANCE – W/S
Greenspring Avenue, N of Walnut Avenue * ZONING COMMISSIONER
(*Raintree Farm*)
4th Election District * OF BALTIMORE COUNTY
2nd Council District * Case Nos. IV-592 & 04-517-A

Guy L. & Dorothy E. Shaneybrook,
Morton & Norma R. Seidman, Owners; *
P & S Realty, Developer

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a combined public hearing, pursuant to Section 26-206.1 of the Baltimore County Code (B.C.C.). That Section permits an applicant to request development plan approval and zoning relief through a single public hearing. Pursuant to the development review regulations codified in Title 26 thereof, the Owners/Developer seek approval of a two-page red-lined development plan, prepared by Colbert Matz Rosenfelt, Inc., for the proposed residential development of the subject property with 13 single family dwelling units, 3 of which are existing. In addition, variance relief is requested from Sections 1A04.2.A.11.f and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the existing canopy, barns and garages (accessory structures) in the front and side yards in lieu of the required rear yard. Variance relief is also requested from Section 404.10.B of the B.C.Z.R. to permit an existing agricultural structure to be located 2 feet from the right-of-way line in lieu of the required 50 feet. The proposed subdivision is more particularly described on the redlined development plan submitted and marked into evidence as Developer's Exhibits 1A and 1B...

As to the history of this project through the development review process codified in Title 26 of the Baltimore County Code, a concept plan of the proposed development was prepared and a conference held thereon on February 2, 2004. As the name suggests, the concept plan is a schematic representation of the proposed subdivision and is reviewed by and between representatives of the Developer and the reviewing County agencies at the Concept Plan Conference (CPC). Thereafter, as required, a Community Input Meeting (CIM) is scheduled

ORDER RECEIVED FOR FILING

Date

By

2019-0445-A

during evening hours at a location near the property to provide residents of the area an opportunity to review and comment on the plan. In this case, the CIM was held on March 8, 2004 at the Fort Garrison Elementary School. Subsequently, a development plan is prepared, based upon the comments received at the CPC and CIM, and submitted for further review at a Development Plan Conference (DPC) which is again held between the Developer's consultants and reviewing County agencies. In this case, the DPC was held on May 12, 2004. Following the DPC, comments are submitted by the appropriate County reviewing agencies and a revised development plan incorporating these comments is submitted at the Hearing Officer's Hearing, which in this case was held on June 4, 2004.

Appearing at the public hearing required for this project were Guy and Dorothy Shaneybrook and Norman and Morton Seidman, property owners; Tom Scherr on behalf of P & S Realty, Inc., Developer; Thomas Mills, President of Hydro-Terra, a geologist and environmental consultant; Richard E. Matz on behalf of Colbert Matz Rosenfelt, the consultants who prepared the development plan; and Dusky Holman, Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Walt Smith, Project Manager; Dennis Kennedy, Development Plans Review; Eric Rockel, Land Acquisition; and, Jun Fernando, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); and R. Bruce Seeley, Department of Environmental Protection and Resource Management (DEPRM). No one appeared from the surrounding community.

The subject property is an irregular shaped parcel located on the west side of Greenspring Avenue, north of Walnut Avenue across from Baublitz Avenue in Owings Mills. The property contains a gross area of 37.95 acres, more or less, zoned R.C.5. As noted above, the property is proposed for development with 13 single family dwelling lots, the largest of which is shown as Lot 13 and will be retained by Morton and Norma Seidman. That lot features an existing single-family dwelling known as 12544 Greenspring Avenue. In addition, there are

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several outbuildings which are the subject of the variance request and will be retained by the Seidmans. In addition to the dwelling and outbuildings, that lot will also feature a large area of forest conservation easement.

In addition to the Seidman home, there are two other existing single homes. Lot 1, which is located near the intersection of Greenspring Avenue and Walnut Avenue, is owned by Mr. & Mrs. Shaneybrook and is improved with a single family dwelling, known as 12508 Greenspring Avenue. In addition, Lot 12, which is located near the rear of the subject property, is improved with a single family dwelling known as 12520 Greenspring Avenue. New dwellings are proposed for Lots 2 through 11. Vehicular access will be provided via an existing road, known as Raintree Court, which leads into the site from Greenspring Avenue and terminates as a cul-de-sac. The property will be served by private wells and septic systems, the areas for which are shown on the plan.

Pursuant to Section 26-206 of the Baltimore County Code, which regulates the conduct at the Hearing Officer's Hearing, I am required to first identify any unresolved agency comments or issues. In this regard, the Developer indicated that there were no outstanding issues and the County agency representatives who were present corroborated his representations. Mr. Seeley indicated that the Environmental Impact Review Division, the Groundwater Division, and the Storm water Management Division of DEPRM had reviewed this project and that there were no outstanding issues. There were no open issues identified by any other County agency representatives. However, Mr. Fernando of Zoning Review noted that variance relief had previously been granted for the existing improvements on Lot 1 (see Case No. 03-052-A) and that the terms and conditions of that approval would remain in full force and effect.

As noted above, there were no Protestants or other interested persons present. Mr. Mills appeared on behalf of the Owner/Developer to offer testimony if necessary regarding wells and septs. It was indicated that some community members raised concerns at the CIM regarding those issues; however, none of those individuals appeared at the Hearing Officer's Hearing. Mr. Mills briefly testified and indicated that there is sufficient groundwater availability

to serve each of the proposed lots. As noted above, the proposed well locations and septic areas are shown on the plan.

Pursuant to Section 26-206 of the Baltimore County Code, the Hearing Officer is required to approve a plan when there are no open issues or unresolved comments, and all of the standards, rules and regulations for development in Baltimore County have been met. In that the development plan for Raintree Farms complies with all of these requirements, it must be approved.

Turning to the variance request, the relief requested relates to existing improvements on the Seidman property, which will be retained as Lot 13. In addition to the house, there is a garage and several freestanding buildings, including a horse shelter, shed, barn, etc. Many of these accessory structures are located in the front/side yard, contrary to the requirement that they be located in the rear yard. Thus, relief is requested to legitimize their location. In addition, there is a one and one-half story wood barn located 2 feet from the front right-of-way line for Greenspring Avenue. It is to be noted that this setback is from the right-of-way line and not the actual paving. As shown on the plan, the structure actually sits back a distance from the paving of the road and a fence is located between the structure and the road. In that all of these structures have existed on the property for many years, I am persuaded to grant the requested relief.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the development plan shall be approved and the Petition for Variance granted, consistent with the comments contained herein.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 15th day of June 2004 that the red-lined development plan for Raintree Farm, identified herein as Developer's Exhibits 1A and 1B, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 1A04.2.A.11.f and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the existing canopy, barns and garages (accessory structures) in the front and side yards

in lieu of the required rear yard, and from Section 404.10.B of the B.C.Z.R. to permit an existing agricultural structure to be located 2 feet from the right-of-way line in lieu of the required 50 feet, in accordance with Developer's Exhibits 1A and 1B, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that all of the terms and conditions of the zoning relief granted in prior Case No. 03-052-A shall remain in full force and effect.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.



LAWRENCE E. SCHMIDT
Zoning Commissioner/Hearing Officer
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>9-13</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-9</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>9-15-19</u>	by <u>O'Keefe</u>
SIGN POSTING (2 nd)	Date: _____	by _____
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 04 Account Number - 2500011203			
Owner Information					
Owner Name:	LASKY DONNA		Use:	RESIDENTIAL	
Mailing Address:	10 HUNTERSWORTH CT OWINGS MILLS MD 21117-		Principal Residence:	NO	
			Deed Reference:	/36422/ 00179	
Location & Structure Information					
Premises Address:	12544 GREENSPRING AVE OWINGS MILLS 21117-		Legal Description:	12.014 AC 12544 GREENSPRING AVE WS RAINTREE FARM	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0049	0018	0153	4050043.04	9410	
					Block:
					13
					Lot:
					2019
					Assessment Year:
					Plat No:
					0079/0410
					Plat Ref:
Special Tax Areas: None			Town:		None
			Ad Valorem:		None
			Tax Class:		None
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1975	2,856 SF	1755 SF	12.0100 AC	04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
1	YES	STANDARD UNIT	BRICK/	5	3 full/ 1 half
					Garage
					1Det/1Carport
					Last Notice of Major Improvements
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2019	As of 07/01/2019	As of 07/01/2020	
Land:	157,500	157,500			
Improvements	434,200	462,700			
Total:	591,700	620,200	601,200	610,700	
Preferential Land:	0			0	
Transfer Information					
Seller: PRESTIGE DEVELOPMENT INC		Date: 07/16/2015		Price: \$675,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /36422/ 00179		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019	07/01/2020		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					

ZAC AGENDA

Case Number: 2019-0445-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Donna Davis
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 4 **Council Dist:** 2

Property Address: 12544 GREEN SPRINGS AVE
Location: South side of Green Spring Ave 727 feet North of Baublitz Road.

Existing Zoning: RC 5 **Area:** 12,001 AC
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
400.0 BCZR To approve an accessory structure (garage) in the front yard in lieu of the required rear yard.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 09/30/2019

Miscellaneous Notes:

Case Number: 2019-0446-A **Reviewer:** Jeffrey Perlow
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Michael G Weaver
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 6 **Council Dist:** 3

Property Address: 20029 BOLLINGER RD
Location: E/S of Bollinger Road, 315' S of Cotter Road and Weaver.

Existing Zoning: RC 2 **Area:** 1.34 AC
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
400.1 BC2R, To permit a proposed accessory build (garage) to be located in the side yard in lieu of the required rear yard only.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 09/30/2019

Miscellaneous Notes:

IN RE: PETITION FOR ADMIN. VARIANCE *

4th Election District

2nd Councilmanic District *

(12544 Greenspring Avenue) *

Donna Davis (Feldman)

Petitioner *

BEFORE THE OFFICE OF

ADMINISTRATIVE HEARINGS

FOR

BALTIMORE COUNTY

Case No. 2019-0445-A

RECEIVED

OCT 03 2019 *

OFFICE OF
ADMINISTRATIVE HEARINGS

AFFIDAVIT

I, Donna Davis (Feldman), am over the age of 18 and have personal knowledge of and am competent to testify to the following:

1. The residence at 12544 Greenspring Avenue, Owings Mills, MD, 21117, is owned by Donna Davis (Feldman). No other person or entity has an interest in the operation and/or affairs of 12544 Greenspring Valley, Owings Mills, MD, 21117.
2. I reside year round and actually occupy the property known as 12544 Greenspring Valley, Owings Mills, MD, 21117, and consider this to be my principal residence.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

10/3/19
Date

[Signature]
Donna Davis (Feldman)

JEANNE NATALIE FRASER
Notary Public
Baltimore County
Maryland
My Commission Expires November 02, 2019

[Signature] 10/2/19

RECEIVED

ADULT & JUVENILE
POLICE - MAY 2 1964



MARYLAND
Department of Health

DIVISION OF VITAL RECORDS
P.O. BOX 68760
BALTIMORE, MD 21215

VERIFICATION OF DIVORCE RECORD

Date 9/13/2019

Names of Spouses Donna Ann Davis
(first/middle/last) birth name (if different)
Robert Ira Lasky
(first/middle/last) birth name (if different)

Date of divorce 9/20/2011
(month/day/year)

Place of divorce Baltimore/ Baltimore
(city/county)

Reason for divorce Personal

Person you represent Self

APPLICANT'S NAME (Print) Donna Davis

MAILING ADDRESS 12544 Greenspring Ave

CITY/STATE/ZIP CODE Owings Mills, MD 21117

VERIFICATION SECTION

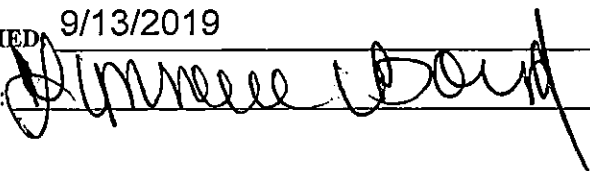
TYPE OF DIVORCE: AV - Absolute ☒

AB - Annulment ☐

DATE OF DIVORCE VERIFIED: 9/20/2011

VERIFICATION COMPLETED BY: Lynnelle Boyd

DATE VERIFIED: 9/13/2019

SIGNATURE: 

VIEW PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

STATE OF MARYLAND

Department of Health and Mental Hygiene
Division of Vital Records

Marriage Certificate

Baltimore City

License Issued: Date of Marriage:

8/1/2015 8/10/2015

License Number:

242015-002320

Name:

DONNA ANN FELDMAN

Birthplace: MARYLAND

Age: 50

Residence:

10 HUNTERSWORTH COURT
OWINGS MILLS, MARYLAND 21117

Marital Status: DIVORCED

Name:

THOMAS DAVIS

Birthplace: RHODE ISLAND

Age: 45

Residence:

10 HUNTERSWORTH COURT
OWINGS MILLS, MARYLAND 21117

Marital Status: SINGLE

Relationship of the parties by blood or marriage:

NONE

Official Name:

CHRISTOPHER LOUIS PANOS

Title:

JUDGE

Address:

441 N CALVERT ST
BALTIMORE, MARYLAND 21202

This is to certify that this is a true and correct copy of the official record on file at the Maryland Division of Vital Records.

Geneva B. Sparks

1039337

State Registrar of Vital Records

Date Issued: 9/3/2015 9:40:26 AM

DO NOT ACCEPT UNLESS ON SECURITY PAPER WITH SEAL
OF VITAL RECORDS CLEARLY EMBOSSED

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

MARYLAND
Driver's License

DL

Customer identifier
D-120-149-248-062

Family name
DAVIS

Given names
DONNA FELDMAN

Address
**12544 GREENSPRING AVE
JOWINGS MILLS MD 21117**

Date of birth **01/23/1965** Sex **F** Height **5'02"** Weight **140** Date of exp. **01/23/2025**

Restrictions **G** Classifications **A** Endorsements **02/20/2018**

ORGAN DONOR



2019-0445-A

~~FOOD~~
FACING REAR OF
PROPOSED BUILDING
LOCATION



2019-04-05-A

REAR OF PROPERTY - LOCATED BEHIND THE HOUSE



FACING THE FRONT OF
PROPOSED BUILDING ~~where~~
LOCATION

2019-0445-A

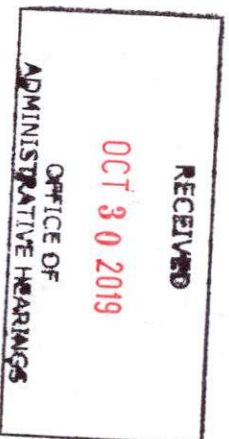
MOTION FOR RECONSIDERATION

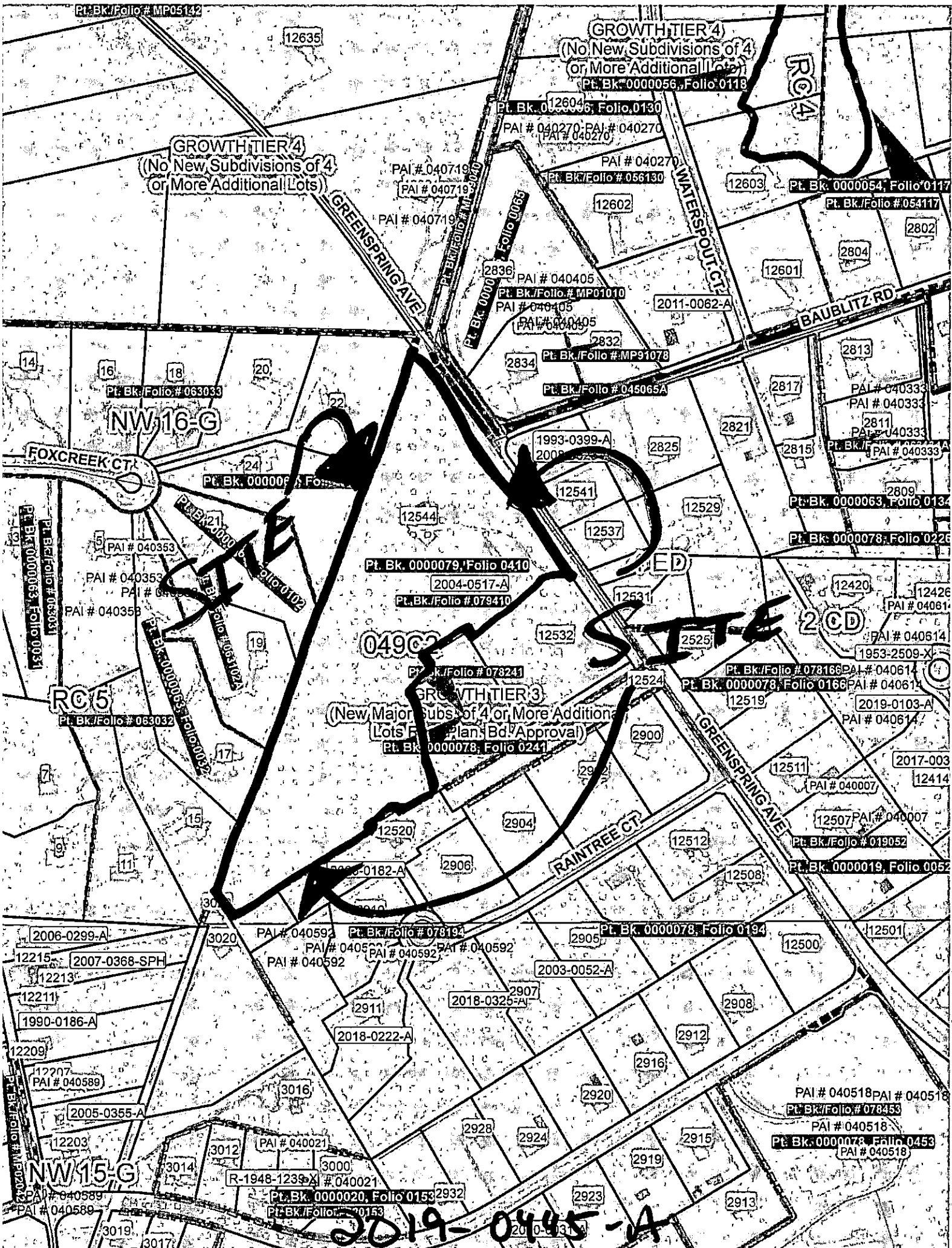
LAWRENCE M. STAHL,
PERTAINING TO CASE # 2019-0445-A FOR THE
PROPERTY OF 12544 GREENSPRING AVE, WE
ARE REQUESTING A MOTION FOR RECONSIDERATION
IN REGARDS TO THE HEIGHT OF THE PROPOSED
BUILDING. THE LOCATION OF THE BUILDING
WILL NOT CHANGE. DURING THE APPLICATION
PROCESS FOR THE LOCATION VARIANCE, IT WAS
MISSED THAT THE HEIGHT OF THE PROPOSED
BUILDING IS INTENDED TO BE 23 FEET HIGH.
THE OWNER OF THE PROPERTY OWNS A SAIL
BOAT AND WISHES TO PROPERLY STORE IT
WITHIN THE PROPOSED BUILDING.

PLEASE SEE ATTACHED SITE PLAN.



RON BYNAKER
HANOVER BUILDING SYSTEMS, INC.





GROWTH TIER 4
(No New Subdivisions of 4 or More Additional Lots)

GROWTH TIER 4
(No New Subdivisions of 4 or More Additional Lots)
Pl. Bk. 0000056, Folio 0118

GROWTH TIER 3
(New Major Subs. of 4 or More Additional Lots Plan Bd Approval)
Pl. Bk. 0000078, Folio 0241

NW 16-G

RC 5

NW 15-G

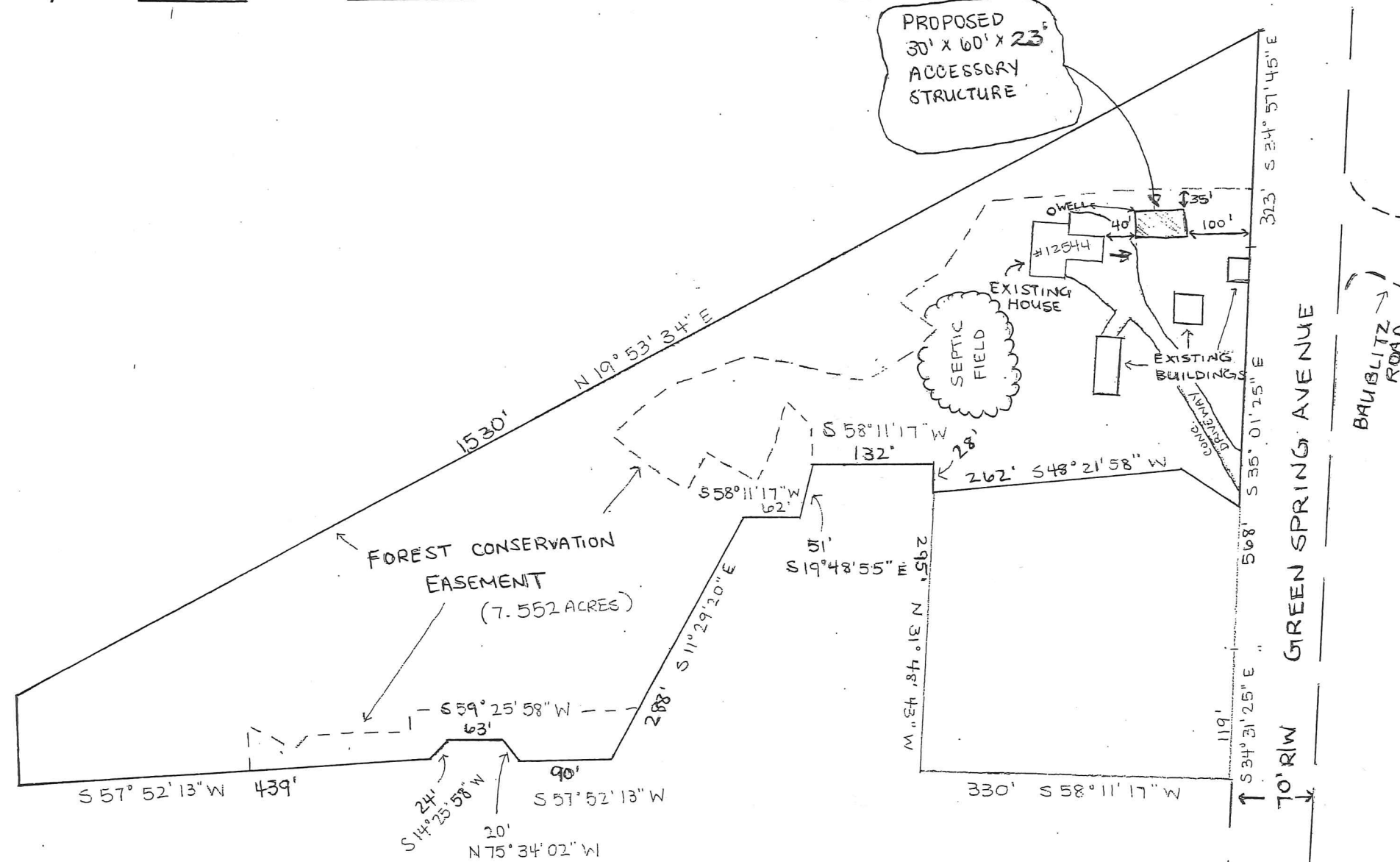
SITE 2 CD

2019-0445-A

VIOLATION CASE INFO:

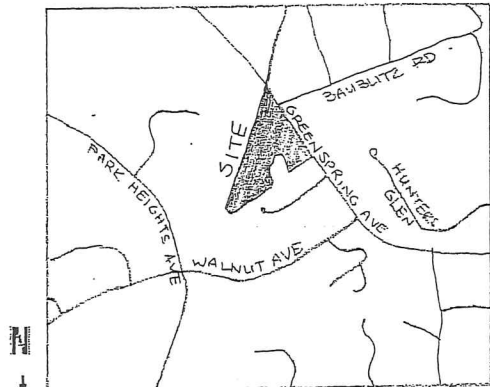
Pet. Eph. 1

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 12544 GREENSPRING AVENUE OWNER(S) NAME(S) DONNA LASKY
 SUBDIVISION NAME GROWTH TIER 3 LOT# 13 BLOCK# _____ SECTION# _____
 PLAT BOOK# _____ FOLIO# 079410 10 DIGIT TAX# 2500011203 DEED REF.# 36422/00179



PLAN DRAWN BY KACI BALZANNA DATE 10/22/19 SCALE: 1 INCH = 150 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 0049
 SITE ZONED RC-5
 ELECTION DISTRICT 4
 COUNCIL DISTRICT 2
 LOT AREA ACREAGE 12.001
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? YES
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

CASE NO. 2019-0445A
GRANTED (10-8-19)

VIOLATION CASE INFO:

mfr